

MHW

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF ILLINOIS EASTERN DIVISION

William D. Moore and Yvonne Moore,
Plaintiffs,

vs.

Washington Mutual Bank FA,
Defendant.

2008 APR 25 AM 9:22

Judge Castillo
CLERK Magistrate Judge Schenkier
U.S. DISTRICT COURT

No. 08C 0596

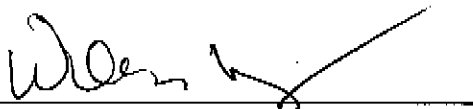
NOTICE OF FILING OF WAIVER OF SERVICE OF
SUMMONS AS STATUS REPORT

FILED

TO: Law Offices of Glen E. Heilizer
Glenn E. Heilizer
5 N. Wabash Avenue, Suite 1304
Chicago, IL 60602

APR 25 2008
4-25-2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

PLEASE TAKE NOTICE that on April 25, 2008, we caused to be filed with the Clerk of the United States District Court for the Northern District of Illinois this Notice of Filing of Defendant's Waiver of Service of Summons as a Status Report. A copy of which is attached hereto.



CERTIFICATE OF SERVICE

I, William Moore, certify that I served the above listed individual(s) the attached filings by mailing a copy to the party to whom it is directed at the address listed above on April 25, 2008.


One of the Plaintiffs

William & Yvonne Moore
6219 W. Old Plank Blvd.
Matteson, IL 60443
708-268-3495

NOTE: When the print dialogue box appears, be sure to uncheck the Annotations option.

AO 399 (Rev. 05/00)

FILED

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

APR 25 2008
4-25-2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

TO: William D. Moore and Yvonne Moore
(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, Washington Mutual Bank, acknowledge receipt of your request
(DEFENDANT NAME)

that I waive service of summons in the action of Moore v. Washington Mutual Bank
(CAPTION OF ACTION)

which is case number 08 C 596 in the United States District Court
(DOCKET NUMBER)

for the Northern District of Illinois.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after 03/28/08
(DATE REQUEST WAS SENT) or within 90 days after that date if the request was sent outside the United States.

04/23/08 Glenn E. Heilizer
(DATE) (SIGNATURE)

Printed/Typed Name: Glenn E. Heilizer

As attorney of Washington Mutual Bank
(TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on this waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of this response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.